

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION

January 9, 2006
Regular Meeting

Assembly Chambers
6:00 P.M.

The regular meeting of the Matanuska-Susitna Borough Planning Commission was called to order at 6:02 p.m. by Chair Masteller.

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

Planning Commission members present and establishing a quorum:

Brit Lively, Assembly District #1
Helga Larson, Assembly District #2 (Vice Chair)
Mark Masteller, Assembly District #3 (Chair)
Dianne Woodruff, District #4
David Webster, Assembly District #5
Curtis Menard, Assembly District #6
Tom Kluberton, Assembly District #7 (arrived at 6:04 p.m.)

Staff in attendance:

Murph O'Brien, Planning and Land Use Director
Susan Lee, Planner I
Nick Spiropoulos, Assistant Attorney
Priscilla Goff, Planning Clerk

II. APPROVAL OF AGENDA

Murph O'Brien suggested removing New Business, Item B, Resolution 06-15: Acceptance and classification of a donated parcel of land for Knik/Goose Bay Area Elementary School. Upon completion of contract agreement/terms with the developer the item will be forwarded to the Planning Commission for their consideration.

MOTION: Commissioner Larson moved, seconded by Commissioner Menard, removing New Business, Item B and approving the agenda as amended.

VOTE: The motion passed without objection.

III. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Commissioner Lively.

V. CONSENT AGENDA

A. MINUTES

1. December 19, 2005

B. INTRODUCTION FOR PUBLIC HEARING *(Suggested Public Hearing January 23, 2006)*

1. Resolution 06-01: Variance request from waterbody setback requirement on Lot 13, Sunshine Point, 751 N. Northshore Drive, within Township 17 North, Range 1 West, Section 2, Seward Meridian.

2. Resolution 06-13: A zoning map amendment in the City of Houston to rezone approximately 138.52 acres from the Public Lands & Institutions (PLI) District to the Single-family and two-family residential (R-1) District.
3. Resolution 06-03: Glacier View Sheep Mountain Sub-District Comprehensive Plan Update
4. Resolution 06-04: Rural Healthcare Planning Network, Matanuska-Susitna Borough Primary Healthcare Plan

MOTION: Commissioner Menard moved, seconded by Commissioner Webster, to approve the consent agenda.

VOTE: The motion passed without objection.

VIII AGENCY/STAFF REPORTS

Murph O'Brien reviewed comments provided to the Alaska Department of Transportation and Public Facilities regarding the FY2006 to FY2008 Statewide Transportation Improvement Program. Staff will provide a copy of the letter to the Commission.

Discussion Followed.

XIV NEW BUSINESS

- A. RESOLUTION 06-16: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION IN APPRECIATION FOR THE SERVICES OF ROSE JENNE.

MOTION: Commissioner Larson moved, seconded by Commissioner Lively to approve Planning Commission Resolution 06-16.

Commissioner Masteller stated he appreciated Ms. Jenne's services as a Planning Commissioner and for driving from Talkeetna to the meetings.

Commissioner Menard stated he enjoyed Ms. Jenne's insights on Planning Commission issues.

VOTE: The motion passed without objection.

Commissioner Lively spoke to having only one Code Compliance Officer covering New Year's celebrations and other activities from Talkeetna to Butte. She stated staff works with the State Troopers; however, there is a need to address this problem, e.g., hiring additional staff, citing the cases in the newspaper; and additional regulations.

Discussion followed.

The meeting recessed at 6:20 p.m. and reconvened at 6:32 p.m.

XI PUBLIC HEARING

- A. RESOLUTION 05-25: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING THAT THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY SUPPORT THE MATANUSKA-SUSITNA BOROUGH'S REVISED COASTAL MANAGEMENT PLAN.

Susan Lee gave a staff report on the proposed Coastal Management Plan stating in 2003 the State Legislature amended the Alaska Coastal Management Program. The Borough's Coastal Management Plan no longer conforms to the new State requirements, requiring the Borough to revise its Plan. The Borough will be designating its coastal zone as a Recreation and Tourism Use Area, as the other designations do not address the need for management of uses and activities along freshwater rivers, lakes, and streams. The designation is not a "zone" and does not limit uses to strictly recreation or tourism. The Point MacKenzie AMSA is not included in the Recreation and Tourism designation and will be designated a Major Energy Facility which supports already adopted plans for development. Staff recommends adoption of Planning Commission Resolution 05-25.

Murph O'Brien stated the staff report gives a good overview of the process but does not give an overview of the work that the consultant Elizabeth Benson, AICP, Project Manager, for Bristol Environmental & Engineering Services Corporation, and Susan Lee, Planner I, had done. He thanked both Ms. Benson and Ms. Lee for their efforts with the Coastal Management Plan.

Murph O'Brien reviewed the process the Coastal Management Plan has taken over the past several years and spoke to waterbody setbacks requirements. He stated upon approval of the draft plan, it will be forwarded to the Assembly for their consideration and then forwarded to the State.

Discussion followed.

Chair Masteller opened the public hearing.

Speaking in favor of Planning Commission Resolution 05-25: Dan Elliott.

Speaking to the Coastal Management Plan: Noel Woods stating it was a good report but he was concerned with sand and gravel enforcement policy issues.

There being no one else wishing to be heard, the public hearing was closed and discussion moved to the commission.

MOTION: Commissioner Lively moved, seconded by Commissioner Menard, to approve Planning Commission Resolution 05-25.

Discussion followed.

VOTE: The motion passed without objection.

Commissioner Masteller thanked staff, members of the committee, and the consultant for their work on the Coastal Management Plan.

XVI DIRECTOR AND COMMISSIONER COMMENTS

Murph O'Brien

- Thanked everyone for their assistance with the Coastal Management Plan stating the plan will go before the Assembly on January 17, 2006.
- Welcomed Dianne Woodruff and Tom Kluberton to the Commission.
- Spoke to researching a land use development permitting process.

Curt Menard

- Welcomed Dianne Woodruff and Tom Kluberton to the Commission.
- Wished everyone a Happy New Years.

Dianne Woodruff

- Thanked everyone for the warm welcome.

Tom Kluberton

- Thanked everyone for the warm welcome.

Mark Masteller

- Spoke to development of conventional oil and gas and drafting an ordinance similar to the Coal Bed Methane Program.
- Discussed having a 100' buffer on waterways, e.g., Coastal Management Plan.

Discussion followed regarding Title 16 and version(s) to be provided to the Commission.

Helga Larson

- Stated concern there was only one Code Compliance Officer in the Borough to cover destructive activities in the Borough.
- Suggested positive signs to be used to help deter problems, e.g., along trails, etc.

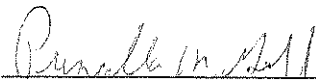
Discussion followed.

XVIII ADJOURNMENT

Commissioner Larson moved, seconded by Commissioner Webster to adjourn. The meeting adjourned at 7:15 p.m.



MARK MASTELLER, Chair



PRISCILLA M. GOFF, Planning Clerk

MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AGENDA

Timothy L. Anderson, Mayor
PLANNING COMMISSION
Mark Masteller, Chair
Helga Larson, Vice Chair
Rose Jenne
Brit Lively
Curtis Menard
David Webster

John Duffy, Manager
PLANNING AND LAND USE DEPARTMENT
Murph O'Brien, Planning and
Land Use Director
Sev Jones, Chief of Planning
Ken Hudson, Chief of Code Compliance
Paul Hulbert, Platting Officer
Priscilla M. Goff, Planning Clerk

January 9, 2006
Regular Meeting

Assembly Chambers
6:00 p.m.

- I CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III PLEDGE OF ALLEGIANCE
- IV CONSENT AGENDA
*(*All items listed with an asterisk (*) are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so request, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda)*
- V MINUTES
*A. December 19, 2005
- VI INTRODUCTION FOR PUBLIC HEARING (*Suggested Public Hearing January 23, 2006*)
 - *A. **Resolution 06-01:** Variance request from waterbody setback requirement on Lot 13, Sunshine Point, 751 N. Northshore Drive, within Township 17 North, Range 1 West, Section 2, Seward Meridian.
 - *B. **Resolution 06-13:** A zoning map amendment in the City of Houston to rezone approximately 138.52 acres from the Public Lands & Institutions (PLI) District to the Single-family and two-family residential (R-1) District.
 - *C. **Resolution 06-03:** Glacier View Sheep Mountain Sub-District Comprehensive Plan Update
 - *D. **Resolution 06-04:** Rural Healthcare Planning Network, Matanuska-Susitna Borough Primary Healthcare Plan
- VII COMMITTEE REPORTS
- VIII AGENCY/STAFF REPORTS

IX AUDIENCE PARTICIPATION (*three minutes per person, for items not scheduled for public hearing*)

X LAND USE CLASSIFICATIONS

XI PUBLIC HEARING (*to begin at 6:30 p.m. - three minutes per person*)

Page 1 A. **Resolution 05-25:** Coastal Management Plan Amendment

XII CORRESPONDENCE & INFORMATION

Page 7 A. Items scheduled for upcoming Planning Commission meetings

9 B. January and February 2006 Calendars

13 C. Assembly regular meeting minutes, November 15, 2005

XIII UNFINISHED BUSINESS

XIV NEW BUSINESS

Page 30 A. **Resolution 06-16:** Appreciation for the services of Rose Jenne as Planning Commissioner

31 B. **Resolution 06-15:** Acceptance and classification of a donated parcel of land for a Knik/Goose Bay Area Elementary School.

XV COMMISSION BUSINESS

XVI DIRECTOR AND COMMISSIONER COMMENTS

XVII ADJOURNMENT (Mandatory Midnight)

In order to be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an *interested party* pursuant to MSB 15.39.010. An *interested party* means, (a) the applicant before the Planning Commission; or (b) any person affected by the decision who appeared before the Planning Commission and made an oral or written presentation. The procedures governing appeals to the Board of Adjustment & Appeals are contained in MSB 15.39.010-250, which is available on the borough Internet home page, (<http://www.matsugov.us>), in the Borough Clerk's office, or at various libraries within the borough.

**MATANUSKA-SUSITNA BOROUGH****Planning and Land Use Department****Planning Division**

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9833 • Fax (907) 745-9876

Email: planning@matnugov.us**STAFF REPORT**

DATE: December 13, 2005

TO: Planning Commission

FROM: Susan Lee, Planner I

THRU: Murph O'Brien, Planning & Land Use Director *MWO*

SUBJECT: MSB COASTAL MANAGEMENT PLAN AMENDMENT

In 1984 the Borough joined the Alaska Coastal Management Program (ACMP) and adopted its coastal management plan. Point MacKenzie was identified as an Area Meriting Special Attention (AMSA) and a separate AMSA plan was adopted in 1993 as an amendment to the overall Borough plan.

The State Legislature passed House Bill 191 in 2003 which significantly amended the Alaska Coastal Management Program. The Borough's coastal management plan no longer conforms to the new State requirements. These changes in Alaska State law require the Borough to revise its Coastal Management Plan. The draft plan amendment has been prepared to comply with the Alaska Coastal Management Act, as amended by the Alaska State Legislature in 2003 and the Alaska Coastal Management Program regulations adopted in 2004. The Borough has supplemented existing resource information with updated information necessary to address emerging and changing issues in the community and to support its enforceable coastal management policies. New maps have been developed for proposed designations. Where data has been readily available, new resource inventory maps also have been prepared.

The Borough's existing Coastal Management Plan does not conform to the new State requirements, as coastal management plan policies regarding development and access are now limited to coastal water (salt water). Most, if not all, rivers, lakes, and streams inside the Borough's coastal zone are no longer considered coastal water, which is significantly different than the previous ACMP requirements. The Borough's Coastal Management Plan can no longer include policies that address the management of uses and activities located immediately adjacent to rivers, lakes, and streams, unless these waterbodies are inside a "designation". The State allows the Districts to create the following designations: recreation, tourism, major energy facilities, natural hazards, commercial fishing and seafood processing, and history and archaeology.

Planning/pln div/susan/cmp plan amendment/final draft pc staff report

Planning Commission Regular Meeting

January 9, 2006

The Borough will be designating its coastal zone as a Recreation and Tourism Use Area, as the other designations do not address the need for management of uses and activities along freshwater rivers, lakes, and streams. The benefit of this designation is that it allows for all development to be considered in the coastal zone just like under the current program. This designation is not a "zone" and does not limit uses to strictly recreation or tourism. With this designation the Borough has input on development actions that require state or federal permits.

The Point MacKenzie AMSA is not included in the Recreation and Tourism Designation. The Point MacKenzie AMSA will be designated a Major Energy Facility which supports already adopted plans for development. This designation allows the Borough to have input on development actions that require state or federal permits. The benefit to designating the Point MacKenzie AMSA a Major Energy Facility is that Point MacKenzie is currently the Borough's major industrial area. It is a potential location for major energy facilities and supporting infrastructure. The Borough will also continue to have local input into development decisions.

There will not be any changes to the existing coastal management zone boundary or the Point MacKenzie AMSA boundary. Boundary changes are not allowed by the State at this time.

The Planning Commission held public hearings on the public review draft plan amendment on April 18, 2005 and May 16, 2005.

This final draft plan amendment has been prepared for submittal to the State of Alaska, Department of Natural Resources. State law requires that a transition amendment to a district plan be submitted to the Department of Natural Resources with a resolution from the local government. The coastal management plan amendment must be submitted to the State of Alaska, Department of Natural Resources by March 1, 2006.

The draft plan amendment will be introduced to the Assembly on January 17, 2006 and a public hearing scheduled for the February 7, 2006 Assembly meeting.

Staff is recommending approval of Planning Commission Resolution No. 05-25, which recommends that the Borough Assembly support the Borough's revised coastal management plan.

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 05-25

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING THAT THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY SUPPORT THE MATANUSKA-SUSITNA BOROUGH'S REVISED COASTAL MANAGEMENT PLAN

WHEREAS, the Matanuska-Susitna Borough joined the Alaska Coastal Management Program (ACMP) in 1984 and adopted its coastal management plan; and

WHEREAS, Point MacKenzie was identified as an Area Meriting Special Attention (AMSA) and a separate AMSA plan was adopted in 1993 as an amendment to the overall MSB plan; and

WHEREAS, the State Legislature passed House Bill 191 in 2003 which significantly amended the Alaska Coastal Management Program; and

WHEREAS, the Borough's Coastal Management Plan no longer conforms to the new State requirements; and

WHEREAS, the Matanuska-Susitna Borough Coastal Management Plan is being amended in accordance with the revised Alaska Coastal Management Program statutes at AS 46.39 and AS 46.40 and the new ACMP regulations at 11 AAC 110, 11 AAC 112, and 11 AAC 114; and

WHEREAS, if approved, this plan will guide the Matanuska-Susitna Borough's participation in the ACMP, a voluntary state program for the cooperative management of uses and activities in the coastal zone; and

WHEREAS, the Borough's existing Coastal Management Plan does not conform to the new State requirements, as coastal management plan policies regarding development and access are now limited to coastal water (salt water); and

WHEREAS, most, if not all, rivers, lakes, and streams inside the MSB coastal zone are not considered coastal water, which is significantly different than the previous ACMP requirements.; and

WHEREAS, the MSB Coastal Management Plan may no longer include policies that address the management of uses and activities located immediately adjacent to rivers, lakes, and streams, unless these waterbodies are inside a "designation"; and

WHEREAS, the State allows Districts to create the following designations: recreation, tourism, major energy facilities, natural hazards, commercial fishing and seafood processing, and history and archaeology; and

WHEREAS, the Borough will be designating its coastal zone as a recreation and tourism use area, as the other designations do not address the need for management of uses and activities along freshwater rivers, lakes, and streams; and

WHEREAS, the benefit of this designation allows for all development to be considered in the coastal zone just like under the current program and this designation is not a "zone" and does not limit uses to strictly recreation or tourism; and

WHEREAS, with the designation the Borough has input on development actions that require state or federal permits; and

WHEREAS, the Point MacKenzie AMSA is not included in the Recreation and Tourism Designation; and

WHEREAS, the Point MacKenzie AMSA will be designated a Major Energy Facility which supports already adopted plans for development and with this designation the Borough has input on development actions that require state or federal permits; and

WHEREAS, the benefit to designating the Point MacKenzie AMSA a Major Energy Facility is that Point MacKenzie is currently the Borough's major industrial area, it is a

potential location for major energy facilities and supporting infrastructure, and the Borough will continue to have local input into development decisions; and

WHEREAS, there will not be any changes to the extent of the existing coastal management zone boundary or the Point MacKenzie AMSA boundary, as boundary changes are not allowed by the State at this time; and

WHEREAS, the Matanuska-Susitna Borough has circulated the draft plan amendment for public review and comment in accordance with State law at 11 AAC 114.345; and

WHEREAS, the Matanuska-Susitna Borough has considered all comments and resolutions received during the public review and comment period, and has incorporated any necessary changes in to the draft plan amendment; and

WHEREAS, this public participation in the plan amendment process helps ensure that the plan reflects the attitudes and values of the local residents regarding use of the district's coastal resources; and

WHEREAS, the information contained within the district plan and the public participation effort also provides important documentation of local usage relating to coastal uses and resources that are of unique concern to the district; and

WHEREAS, the Matanuska-Susitna Borough Planning Commission held public hearings on April 18, 2005 and May 16, 2005 to receive comments on the public review draft plan amendment, and finds, based on public comment, that it is in the best interest of the district to grant concept approval to the plan; and

WHEREAS, State law at 11 AAC 114.345(c)(4) requires that a transition amendment to a district plan be submitted to the Department of Natural Resources with a resolution from the local government; and

WHEREAS, the coastal management plan amendment must be submitted to the State of Alaska, Department of Natural Resources, by March 1, 2006.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Planning Commission provides its support and approval to the revised Matanuska-Susitna Borough Coastal Management Plan.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this
_____ day of _____, 2005.

MARK MASTELLER, Chair

ATTEST:

PRISCILLA M. GOFF, Planning Clerk

(SEAL)

Public Notice
Matanuska-Susitna Borough
Notice of Amendment to Borough
Coastal Management Plan

The Matanuska-Susitna Borough invites public comments on the Final Draft of the amended Matanuska-Susitna Borough Coastal Management Plan. As required and provided in the provisions of House Bill 191 (Chapter 24, SLA 2003), the Matanuska-Susitna Borough has developed a Amendment of the Matanuska-Susitna Borough CMP in accordance with the revised Alaska Coastal Management (ACMP) statutes at AS 46.39 and AS 46.40 and the new ACMP regulations 11 AAC 110, 11 AAC 112, and 11 AAC 114.

The Matanuska-Susitna Borough is providing the following opportunities for public comment:

Monday, January 9, 2006
MSB Planning Commission Meeting
6:30 p.m. Matanuska-Susitna Borough Assembly Chambers
350 E. Dahlia Avenue, Palmer, Alaska

Tuesday, February 7, 2006
MSB Borough Assembly Meeting
7:00 p.m. Matanuska-Susitna Borough Assembly Chambers
350 E. Dahlia Avenue, Palmer, Alaska

Comments may be provided at the Public Hearings, or by mail, fax, or email to Matanuska-Susitna Borough, Planning Division, 350 E. Dahlia Avenue, Palmer, AK 99645. Fax 907-745-9876 or e-mail: slee@matsugov.us. Comments received prior to the public hearings will be included in the Planning Commission and Assembly packets for their review and information.

The Final Draft of the Matanuska-Susitna Borough CMP is available at the following websites:
www.matsugov.us/planning/publicreviewdocuments.cfm
and http://www.larocheandassociates.com/Projects/matsu/s_dwnld.html

Copies of the Final Draft may be reviewed in the Borough Administration Office in Palmer and the Final Draft of the MSB CMP is available at the Matanuska-Susitna Borough Planning Department and the Palmer, Wasilla, Sutton, Talkeetna, Willow, Big Lake, and Trapper Creek Libraries.

For special assistance, more information, or to request additional copies of the draft (available in both CD and paper format), contact the MSB Coastal Program Coordinator, Susan Lee at 907-745-9862 or slee@matsugov.us or Elizabeth Benson with Bristol Environmental & Engineering Services, Inc. at 907-563-0013 or ebenson@beesc.com.

The Matanuska-Susitna Borough complies with Title II of the Americans with Disabilities Act. Individuals with disabilities who may need auxiliary aids, services, or special modifications to participate in the public meetings or to comment on the Final Draft should contact the MSB Coastal Program Coordinator, Susan Lee at 907-745-9862 or slee@matsugov.us.

Benson, Elizabeth

From: Benson, Elizabeth
Sent: Wednesday, December 14, 2005 8:48 AM
To: 'wayne_dolezal@fishgame.state.ak.us'; 'robin_willis@fishgame.state.ak.us'; 'christy_miller@commerce.state.ak.us'; 'sally_cox@commerce.state.ak.us'; 'peter_mckay@dcad.state.ak.us'; 'fran_roche@dec.state.ak.us'; 'stefanie_ludwig@dnr.state.ak.us'; 'janet_burleson@dnr.state.ak.us'; 'rod_combellick@dnr.state.ak.us'; 'patricia_burns@dnr.state.ak.us'; 'roselynn_smith@dnr.state.ak.us'; 'richard_jandreau@dnr.state.ak.us'; 'patrick_galvin@dnr.state.ak.us'; 'kerry_howard@dnr.state.ak.us'; 'al_ott@dnr.state.ak.us'; 'gina_shirey-potts@dnr.state.ak.us'; 'Jaclyn_Brock@dnr.state.ak.us'; 'kim_kruse@dnr.state.ak.us'; 'bill_ballard@dot.state.ak.us'; 'matthew_lacroix@dnr.state.ak.us'; 'larry_standley@ak.blm.gov'; 'kenton_taylor@ak.blm.gov'; 'john.r.klutz@poa02.usace.army.mil'; 'larry.d.bartlett@poa02.usace.army.mil'; 'Kellogg.Greg@epamail.epa.gov'; 'hill.burney@epa.gov'; 'gabrielson.john@epa.gov'; 'john.louie@faa.gov'; 'david.turner@ferc.gov'; 'mike.henry@ferc.gov'; 'rcoleman@fs.fed.us'; 'mary_nation@fws.gov'; 'steve_brockmann@fws.gov'; 'Leonard_Corin@fws.gov'; 'david.johnston@mms.gov'; 'jon.kurland@noaa.gov'; 'jeanne.hanson@NOAA.gov'; 'katharine.miller@NOAA.gov'; 'joan_darnell@nps.gov'; 'heather_rice@nps.gov'; 'mdombkowski@cgalaska.uscg.mil'; 'omcnutt@cgalaska.uscg.mil'; 'francis_mann@fws.gov'
Cc: Susan Lee (E-mail); Gabrielle LaRoche (E-mail)
Subject: MSB Coastal Management Plan Final Public Hearing Draft - Agency Consultation & Notification

This to notify you that the MSB Coastal Management Plan 2005 Final Public Hearing Draft Amendment (dated December 2005) is out for public review and available on the following websites:

www.matsugov.us/planning/publicreviewdocuments.cfm

http://www.larocheandassociates.com/Projects/matsu/matsu/s_dwnld.html

The MSB has developed a Public Hearing Draft Amendment of its Coastal Management Plan in accordance with the revised Alaska Coastal Management (ACMP) states at AS 46.39 and AS 46.40 and the new ACMP regulations at 11 AAC 110, 11 AAC 112, and 11 AAC 114.

Copies of the Final Public Hearing Draft Amendment may be reviewed at the Borough Administration Office in Palmer and is available at the MSB Planning Department and the Palmer, Wasila, Sutton, Talkeetna, Willow, Big Lake, and Trapper Creek Libraries.

The MSB is providing the following opportunities for public comment:

Monday, January 9, 2006, MSB Planning Commission Meeting at 6:30 p.m.
MSB Assembly Chambers, Palmer, Alaska

Tuesday, February 7, 2006, MSB Assembly Meeting at 7:00 p.m.
MSB Assembly Chambers, Palmer, Alaska

For more information please contact Susan Lee, MSB Coastal Management Planner at 745-9862

Elizabeth A. Benson, AICP
Bristol Environmental & Engineering Services Corporation
111 West 16th Avenue, Suite 301
Anchorage, Alaska 99502-1117
Direct Line: 907-743-9339
Fax: 907-563-6713
email: ebenson@beesc.com



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Planning Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9833 • Fax (907) 745-9876

Email: planning@matsugov.us

STAFF REPORT

DATE: December 13, 2005

TO: Planning Commission

FROM: Susan Lee, Planner I

THRU: Murph O'Brien, Planning & Land Use Director *MMO*

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Planning/pln div/susan/cmp plan amendment/final draft pc staff report

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MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 05-25

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING THAT THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY SUPPORT THE MATANUSKA-SUSITNA BOROUGH'S REVISED COASTAL MANAGEMENT PLAN

WHEREAS, the Matanuska-Susitna Borough joined the Alaska Coastal Management Program (ACMP) in 1984 and adopted its coastal management plan; and

WHEREAS, Point MacKenzie was identified as an Area Meriting Special Attention (AMSA) and a separate AMSA plan was adopted in 1993 as an amendment to the overall MSB plan; and

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WHEREAS, the Matanuska-Susitna Borough Coastal Management Plan is being amended in accordance with the revised Alaska Coastal Management Program statutes at AS 46.39 and AS 46.40 and the new ACMP regulations at 11 AAC 110, 11 AAC 112, and 11 AAC 114; and

WHEREAS, if approved, this plan will guide the Matanuska-Susitna Borough's participation in the ACMP, a voluntary state program for the cooperative management of uses and activities in the coastal zone; and

WHEREAS, the Borough's existing Coastal Management Plan does not conform to the new State requirements, as coastal management plan policies regarding development and access are now limited to coastal water (salt water); and

WHEREAS, most, if not all, rivers, lakes, and streams inside the MSB coastal zone are not considered coastal water, which is significantly different than the previous ACMP requirements.; and

WHEREAS, the MSB Coastal Management Plan may no longer include policies that address the management of uses and activities located immediately adjacent to rivers, lakes, and streams, unless these waterbodies are inside a "designation"; and

WHEREAS, the State allows Districts to create the following designations: recreation, tourism, major energy facilities, natural hazards, commercial fishing and seafood processing, and history and archaeology; and

WHEREAS, the Borough will be designating its coastal zone as a recreation and tourism use area, as the other designations do not address the need for management of uses and activities along freshwater rivers, lakes, and streams; and

WHEREAS, the benefit of this designation allows for all development to be considered in the coastal zone just like under the current program and this designation is not a "zone" and does not limit uses to strictly recreation or tourism; and

WHEREAS, with the designation the Borough has input on development actions that require state or federal permits; and

WHEREAS, the Point MacKenzie AMSA is not included in the Recreation and Tourism Designation; and

WHEREAS, the Point MacKenzie AMSA will be designated a Major Energy Facility which supports already adopted plans for development and with this designation the Borough has input on development actions that require state or federal permits; and

WHEREAS, the benefit to designating the Point MacKenzie AMSA a Major Energy Facility is that Point MacKenzie is currently the Borough's major industrial area, it is a

potential location for major energy facilities and supporting infrastructure, and the Borough will continue to have local input into development decisions; and

WHEREAS, there will not be any changes to the extent of the existing coastal management zone boundary or the Point MacKenzie AMSA boundary, as boundary changes are not allowed by the State at this time; and

WHEREAS, the Matanuska-Susitna Borough has circulated the draft plan amendment for public review and comment in accordance with State law at 11 AAC 114.345; and

WHEREAS, the Matanuska-Susitna Borough has considered all comments and resolutions received during the public review and comment period, and has incorporated any necessary changes in to the draft plan amendment; and

WHEREAS, this public participation in the plan amendment process helps ensure that the plan reflects the attitudes and values of the local residents regarding use of the district's coastal resources; and

WHEREAS, the information contained within the district plan and the public participation effort also provides important documentation of local usage relating to coastal uses and resources that are of unique concern to the district; and

WHEREAS, the Matanuska-Susitna Borough Planning Commission held public hearings on April 18, 2005 and May 16, 2005 to receive comments on the public review draft plan amendment, and finds, based on public comment, that it is in the best interest of the district to grant concept approval to the plan; and

WHEREAS, State law at 11 AAC 114.345(c)(4) requires that a transition amendment to a district plan be submitted to the Department of Natural Resources with a resolution from the local government; and

WHEREAS, the coastal management plan amendment must be submitted to the State of Alaska, Department of Natural Resources, by March 1, 2006.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Planning Commission provides its support and approval to the revised Matanuska-Susitna Borough Coastal Management Plan.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this _____ day of _____, 2005.

MARK MASTELLER, Chair

ATTEST:

PRISCILLA M. GOFF, Planning Clerk

(SEAL)

I. CALL TO ORDER

The special meeting of the Matanuska-Susitna Borough Assembly was held on October 25, 2005, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Timothy L. Anderson for the purpose of holding a joint Assembly/Planning Commission meeting.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Ms. Lynne Woods, Assembly District No. 1
Mr. Talis J. Colberg, Assembly District No. 3
Ms. Mary Kvalheim, Assembly District No. 4
Ms. Cindy Bettine, Assembly District No. 5
Ms. Betty Vehrs, Assembly District No. 7

Assembly members absent and excused were:

Mr. Bill Allen, Assembly District No. 2
Mr. Jim Colver, Assembly District No. 6 (*Deputy Mayor*)

Planning Commission members present and establishing a quorum were:

Ms. Bridgette Lively, District No. 1
Ms. Helga Larson, District No. 2
Mr. Mark Masteller, District No. 3 (*Chair*)
Ms. Faye I. Palin, District No. 4
Mr. David Webster, District No. 5
Mr. Curtis Menard, District No. 6
Ms. Rose M. Jenne, District No. 7

Staff in attendance were:

Ms. Michelle M. McGehee, CMC, Borough Clerk
Mr. John Duffy, Borough Manager
Ms. Teresa Williams, Borough Attorney
Ms. Lonnie R. McKechnie, Executive Assistant to the Borough Clerk
Mr. Murph O'Brien, Planning and Land Use Director
Mr. Sev Jones, Planning Division Chief
Ms. Susan Lee, Planner I
Ms. Eileen Probasco, Planner, Planner II
Ms. Bea Adler, Emergency Management Program Coordinator

III. APPROVAL OF AGENDA

Mayor Anderson inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved as presented without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Michelle Church, Platting Board Member.

V. AUDIENCE PARTICIPATION

(There was no one present who wished to testify.)

VI. ITEMS OF BUSINESS

A. Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU), Federal Highway Legislation *(Requested by: Planning Administration)*

Mr. Ottesen, Chief of Planning for the Alaska State Department of Transportation:

- spoke regarding the Alaska public road miles;
- advised that 75 percent of travel is occurring in the top 30 percent of the State's road miles;
- spoke regarding the traffic accident percentages in the Borough;
- advised that the Borough leads the State in major injuries and fatal accidents on a per capita basis;
- advised that 55,000-57,000 vehicles a day travel on the Glenn Highway to Anchorage;
- advised that \$60 million in federal funds are being used for major maintenance and operations on State highways; and
- spoke regarding federal environmental requirements affecting transportation.

Commission Masteller queried restrictions on using federal funds on operations and maintenance.

Mr. Ottesen:

- advised that the funds have to be used on major maintenance;
- advised that all roads, ports, shipyards, rail, ferries and parking garages are eligible;
- advised that without reallocation of new funding, the main arteries of commerce and communications will not sustain the state in the future;
- spoke regarding the funding differences in TEA-21 which funded 1998-2004 and SAFETEA-LU which funds 2005-2009 transportation project;
- spoke to the differences in earmarks and formula monies;
- spoke regarding highway funding that have been authorized;
- advised in 2008, the spending ability will be the same as it was in 1998;
- spoke regarding inflexible core funds;

- spoke regarding the funding sources of the State's four priority earmarks for the Knik Arm Bridge, Gravina Island Bridge, Juneau Access, and Bradfield Access; and
- stated that earmarks are often under funded and a source of the additional funds need to be determined.

Mr. Duffy queried the rules regarding starting a project and not completing that project.

Mr. Ottesen:

- advised that the federal funds have to be paid back if a project is not completed within 10 years;
- spoke to funds per capita statewide;
- spoke regarding the authorization of funds and the appropriation of funds;
- stated that historically there is a 12 percent difference between funds that are appropriated and funds that are authorized;
- spoke regarding the State Transportation Improvement Program funding levels;
- spoke to the reasons that the Alaska State Department of Transportation believes that the earmarks are deductive;
- advised that a new funding program has passed for the Denali Commission to oversee transportation funding; and
- spoke regarding the decrease in the discretionary funds for the State Transportation Improvement Plan.

Commissioner Larson queried how it is determined if a highway is a federal, state, or local highway.

Mr. Ottesen:

- advised that all the highways in the State are either local or State highways, unless the highway is located on a military reservation or national forest;
- advised that a federal aide highway is eligible for federal funds; and
- spoke regarding federal aide highways.

Mayor Anderson queried what effect all this has on the Borough's allocation in dollars.

Mr. Ottesen:

- noted that the Borough is competing with other projects statewide; and
- advised that there are projects that will be started that have to wait for funding.

Assemblymember Vehrs queried the Parks Highway upgrade to mile 49.

Mr. Ottesen advised that they have upgraded the Parks Highway to mile 44.

Assemblymember Colberg queried if the Borough would get more money if the Knik Arm Bridge was not built.

Mr. Ottesen:

- advised that Congress appropriated the funds for the Knik Arm Bridge project; and
- stated that unless the money is reappropriated somewhere else the funds will sit there.

Assemblymember Bettine queried the fatality rate per capita in the equation of priorities.

Mr. Ottesen:

- advised that safety data is reviewed;
- advised that there are no hot spots for accidents on the National Highway Systems;
- stated that high speed accidents are more randomly located and in the urban areas they happen in clusters; and
- commented that it is harder to direct safety funds when there are problems everywhere.

Discussion ensued regarding highway safety concerns.

Mayor Anderson queried how much influence the Borough can have regarding the priority list.

Mr. Ottesen:

- advised there is a 45-day comment period; and
- advised that he had requested that the regions provide their top priorities.

Assemblymember Bettine queried the Borough's process for setting priorities.

Mr. O'Brien:

- advised that projects are identified and scored;
- stated that there has been a backlog in projects and there have been no new nominated projects for awhile;
- advised that there is always an opportunity to nominate new projects; and
- spoke to the criteria that is used for ranking.

Discussion ensued regarding prioritization of projects.

(The special meeting recessed at 6:57 p.m. and reconvened at 7:10 p.m.)

B. Coastal Management Plan Amendment Update *(Requested by: Planning Administration)*

Elizabeth Benson, Bristol Environmental:

- advised that the Borough joined the Alaska Coastal Management Program in 1984;
- advised that the State Legislature in 2003 passed House Bill 191, which amended the plan;
- noted that the Borough's Coastal Management Plan no longer conforms to the State's requirements;
- advised that the Point MacKenzie Area Meriting Special Attention Plan was adopted in 1993; and

- advised that the Borough can only adopt policies for coastal development and costal access if the area is considered marine coastal water.

Mr. Duffy queried if there was a zone for coastal salt water.

Ms. Benson:

- advised that it is measured by how salty the water is;
- noted that policies can only be written for those areas that are considered salt water;
- advised that rivers, streams, and lakes are no longer allowed to be considered part of the coastal management program; and
- spoke regarding how the State will allow for the areas adjacent to rivers, lakes, and streams to be designated.

Assemblymember Vehrs requested that an example be given of what the Borough used to be allowed to do but is no longer allowed.

Ms. Benson:

- stated that the Borough could have a say in what occurred in the area located next to a stream; however, with the changes, the Borough would no longer have a say over what occurred in the area; and
- noted that the Borough will no longer be part of the permit process with the State.

Assemblymember Vehrs queried how this would affect the Borough's ability to regulate.

Ms. Benson advised that this will not affect the Borough's ability to regulate outside of the cities

Mr. O'Brien clarified that this will affect the Borough's ability to be aware that something is occurring in an area.

Discussion ensued regarding the effects on Borough policies and regulations.

Ms. Benson:

- spoke regarding allowable designations in riparian areas;
- stated that the suitable designations for the Borough is to use the existing coastal zone boundaries;
- advised that the coastal zone is proposed to be designated as a recreation and tourism use area, excluding Point MacKenzie; and
- stated that Point MacKenzie is being proposed as a major energy use area.

Assemblymember Bettine queried the decision that recreation and tourism are the only suitable designations for the Borough.

Mr. O'Brien:

- advised that recreation and tourism is important throughout the coastal zone;
- noted that this does not mean that these are the only activities that can occur in those zones; and
- stated that this gives the Borough a seat at the table to review the projects.

Ms. Benson noted that there is no guarantee that the State will accept the suggested designations.

Commission Lively queried the natural hazard designation.

Ms. Benson:

- advised that State standards for natural hazard designations could not be applied, as every natural hazard would need to be mapped and justified;
- spoke regarding protecting the resources and not the activities in the area;
- advised that mapping out the Borough coastal zone would take 2-3 years; and
- noted that the State allowed an extension for the due date for the Coastal Management Plan from July 2005 to March 2006.

Mr. O'Brien:

- spoke to the need of having a flexible designation plan; and
- stated that recreation and tourism designations gives the Borough a broad scope.

Ms. Benson advised that there are 4,000 square miles inside the existing coastal zone; however, they are not considered coastal waters.

Ms. Williams queried if there were conflicts with the state and federal regulations.

Mr. O'Brien:

- advised that there are conflicts with the state and federal regulations; and
- stated that the State rules have continuously changed throughout the process.

Ms. Benson:

- spoke regarding the benefits of the designations;
- advised of the uses that will still be allowed in the designations;
- stated that a project requires a state or federal permit to come in on the coastal zone program; and
- spoke regarding the deadlines for submitting the Borough's Coastal Zone Management Plan.

Commissioner Masteller queried how the State will react to a recreation and tourism designation for an entire coastal zone area.

Ms. Benson:

- spoke to a draft of the plan that was given to the State in May;
- advised that they are attempting to organize the plan in a better format; and
- spoke regarding the State having difficulties understanding their own regulations.

C. All Hazard Mitigation Plan, Phase I – Natural Hazards *(Requested by: All Commissioners)*

Ms. Adler, Emergency Management Program Coordinator:

- spoke regarding the four-step process for hazard mitigation planning;
- spoke regarding the prioritization of risks;
- advised that the Castle Mountain Fault location has been identified for the All Hazard Mitigation Plan, as required by Federal Emergency Management Agency; and
- advised that the highest danger area is six miles out from the fault.

Commissioner Masteller:

- noted that not all of the Federal Emergency Management Agency's flood zones have been mapped; and
- queried whether the Hazard Mitigation Plan has gone beyond what has been mapped.

Ms. Adler:

- stated that to meet the requirements for the plan they only had to show one map taken all the way through the process;
- advised that most of the Borough's flood zone maps are dated from 1986;
- advised that the Borough's Natural Hazards Mitigation Plan meets the Federal Hazard Mitigation Act requirements;
- stated that plans need to be thought through when the community is not under pressure;
- spoke regarding hazard mitigation strategies;
- stated that education is the best hazard mitigation there is to use;
- spoke regarding partnerships with other jurisdictions and agencies;
- spoke to the need to prepare for emergencies;
- advised that the All-Hazard Incident Management Team uses the Incident Command System; and
- spoke regarding the training and exercises that are done in preparation for an emergency.

Commissioner Palin spoke regarding the need for the community to be prepared for a disaster.

Ms. Adler:

- stated that the public needs to be prepared to take care of themselves during a time of emergency; and
- spoke regarding the education that is provided to the public.

Assemblymember Vehrs:

- spoke regarding the hurricane disaster in New Orleans;
- advised that she would like to be made aware of the meetings that are taking place regarding hazard mitigation; and
- spoke regarding the public needing to know the basic essentials that they will need in case of an emergency.

Discussion ensued regarding the need to educate the public regarding hazard mitigation.

(The special meeting recess at 8:04 p.m. and reconvened at 8:17 p.m.)

D. Development Permits *(Requested by: Assemblymember Woods)*

Mr. Jones, Planning Division Chief:

- advised that it is estimated that there is a 15 percent participation rate with the current permitting process;
- stated that the Borough does not have the ability to know what sort of development is occurring throughout the Borough; therefore it is difficult to plan appropriately;
- advised that development permits would improve the level of compliance of existing regulations, promote responsible development, and provide educational materials;
- spoke regarding the various actions that will require a development permit;
- spoke regarding the submittal requirements for the developer; and
- advised that an adhoc committee would be put together to work on a draft ordinance.

Assemblymember Vehrs:

- advised that she is a member of the Wasilla Soil Conservation group; and
- opined that a member of the Wasilla Soil Conservation group should be a part of the adhoc committee.

Assemblymember Kvalheim queried identifying and enforcing violations.

Mr. Jones stated that this is a complaint driven process.

Mr. O'Brien advised that the process will be more proactive.

Commissioner Larson:

- spoke to getting the banks behind the permitting process; and
- stated that if the developer wants financing the banks need to require a development permit from the Borough.

Commission Masteller queried what the education plan is to let the public know that a permit is required.

Mr. Jones:

- advised that there is no specific education plan yet; and
- stated there would need to be a specific time period of when the plan goes into effect and the enforcement of the process.

Assemblymember Bettine queried what the benefits of the permitting process would be other than less variances being requested.

Mr. O'Brien:

- stated that the permit would provide the Borough the opportunity to know what is happening with development; and
- spoke regarding the time and money that is spent on variances, vacations, and set-back violations.

Mr. Duffy:

- stated that depending on the scale of the development, a traffic impact analysis would be required;
- noted that the traffic impact analysis would give an understanding of what the impacts are going to be on the existing road system; and
- opined that the costs should be born by the person that is negatively impacting the road system.

E. South Denali Update (*Requested by: Planning Administration*)

Ms. Probasco:

- advised that this is a joint effort of the Matanuska-Susitna Borough, Alaska State Parks, Department of Transportation, and the National Park Service;
- stated that the guiding vision is to enhance recreational and access opportunities throughout South Denali;
- advised that the two sites that were most likely to meet the goals of the project were the Peters Hills site and the Parks Highway site;
- spoke regarding the South Denali project goals;
- spoke regarding providing summer and winter recreational activities;
- spoke regarding working with local communities in the planning effort;
- spoke regarding the differences in costs of the Peters Hills Alternative and the Parks Highway Alternative;
- noted that there is a potential for year-round public usage at the Parks Highway Alternative; and
- spoke regarding the site development plans for the Peters Hills Alternative and the Parks Highway Alternative.

Mr. Heikes, Matanuska-Susitna Borough Superintendent for the Alaska State Parks:

- stated that it became apparent going through this process that the Denali State Park Master Plan would need to be amended to accommodate South Denali;
- spoke regarding the 1989 master plan;
- advised that amendments to the master plan are being drafted to address the changes; and
- advised that there is a station set up specifically for the master plan amendments at the public meetings.

Ms. Jenne queried if the road to the Peters Hills site would be by bus or private vehicles.

Mr. Heikes:

- advised that both sites would be accessed by bus only;
- stated that each site only has a minimum amount of land;

- stated that large parking sites would heavily impact the experience; and
- advised that he would assume that the tour buses would need to move passengers onto a shuttle bus to get to the site.

Discussion ensued regarding access to the site locations.

Commissioner Jenne spoke regarding concerns on the impact of tourism to the sites.

Mr. Heikes:

- advised that there would be a public meeting November 2, 2005, at the Cottonwood Public Safety Building; and
- noted that there will be more information and maps available to review.

Commissioner Jenne:

- spoke regarding the Alaska Railroad's interest in Curry Ridge; and
- noted that there have been requests for the use of the triangle area.

Mr. Heikes:

- advised that there have been meetings with the Alaska Railroad;
- advised that the Alaska Railroad does have long-range plans to get across the Susitna River and shorter range plans for the use of Curry Ridge; and
- advised that the Alaska Railroad plans are not part of South Denali.

Commissioner Masteller:

- noted that 98 percent of the impact is on State park lands; and
- queried where the funds would come from to pay for South Denali.

Mr. Heikes:

- advised that most of the planning, design, and construction funds will be Federal;
- advised that there have been preliminary discussions on operating costs; and
- stated that as of now, all that has been agreed on is that South Denali would be jointly operated and jointly funded.

Assemblymember Bettine:

- queried whether private lands near the site may be developed; and
- queried whether a long-term economic development impact has been done.

Mr. Heikes advised that there is an existing Denali State Parks Special Land Use District that the Borough created 20 years ago.

Mr. Duffy:

- stated that the corridor from the end of the State park to Rabbit Creek is being looked at to control the corridor; and
- advised that there is no separate economic analysis.

Commissioner Jenne spoke regarding the need of the communities to be involved in the triangle plan due to the impact on the river.

Discussion ensued regarding the triangle area.

Ms. Probasco:

- spoke regarding the project timeline;
- advised that the public comment period is from September 15, 2005, through November 15, 2005; and
- advised that the final plan will be distributed in February 2006.

VII. MAYOR, ASSEMBLY, PLANNING COMMISSION, AND STAFF COMMENTS

Commission Jenne:

- expressed concerns regarding the impacts on the triangle area;
- opined that there needs to be a grass roots planning effort; and
- stated that the triangle area needs to be protected.

Commissioner Webster opined that the development permits need to be kept simple.

Assemblymember Colberg:

- stated that the Peters Hills Alternate is an incredible place to visit; and
- spoke regarding he and Mr. Duffy meeting with Congressman Young to discuss the Knik Arm Bridge.

Assemblymember Woods spoke regarding the need to do what is best for the land regarding development permits.

Assemblymember Kvalheim:

- spoke to the need for addressing on houses; and
- stated that there is a need to have addressing that can be seen from the road while doing the land acknowledgement permits.

Mr. Duffy advised that there is a separate public information campaign that deals with addressing.

Assemblymember Vehrs:

- advised that she shares Commissioner Jenne's concerns regarding the triangle area;
- stated that the triangle plan needs to be reviewed; and
- requested that the Manager start working on the triangle plan.